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**R E M A R K S**

Reconsideration of the rejection contained in the Office Action of February 9, 2004 is respectfully requested.

Claims 17, 19, 21-26, 29 and 30 stand finally rejected under anticipatory and obviousness grounds. Claims 18, 20, 27 and 28 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent format.

In particular, Claim 17 was objected to as containing a period of the term "coating". This claim is currently amended to correct this informality.

Claims 17, 19, 21, 26 and 29 stand finally rejected under 35 U.S.C. §102(e) as anticipated by U.S. Pat. No. 6,550,909 to Ichinose, et al. for reasons set forth in the previous Office Action. Claims 22 - 24 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ichinose ('909) et al. in view of Shaw-Klein et al. (U.S. 6,147,139); and Claims 25 and 30 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ichinose et al. in view of Hirose et al. (U.S. 6,203,899).

Applicant's respectfully disagree.

**Claim Rejections - 35 U.S.C. §102(e)****U.S. Patent No. 6,550,909 to Ichinose**

Claims 17, 19, 21, 26, and 29 are finally rejected under 35 U.S.C. §102(e) as anticipated by U.S. Pat. No. 6,550,909 to Ichinose, et al.

Applicant's previously presented argument that the Ichinose et al. reference does not disclose that the printed image is substantially retained within the upper protective layer as is required in the present invention claims but rather discloses that the ink is retained on the surface of the upper layer. The Examiner did not find this argument persuasive.

In paragraph 8 of the Action the Examiner states:

The present claims require that the printed image is substantially retained within the upper protective layer. However, as set forth in the 1.132 declaration filed 6/6/03, paragraphs 6-7 and 9, "substantially retained in the upper protective layer" refers to ink which is completely **absorbed** in the surface of the

material but is kept as close to the surface of the material as possible to maximize color gamut. This is the same situation in Ichinose et al. wherein while the pigment is **adsorbed** into the upper layer, it remains close to the surface.

Applicants respectfully disagree with the Examiner's interpretation above and direct her attention to the distinctions between the terms **absorption** and **adsorption**.

Merriam-Webster On-Line Dictionary (see also courtesy copies enclosed) defines:

**Absorb:** 1. to take in and make part of an existent whole; 2. to suck up or take up. . .

**Absorption:** the process of absorbing or of being adsorbed --- compare ADSORPTION.

**Adsorption:** the adhesion in an extremely thin layer of molecules (as of gases, solutes, or liquids) to the surfaces of solid bodies or liquids with which they are in contact - compare ABSORPTION.

Thus the present invention disclosure which discloses **absorption** of the ink in the upper layer is NOT the same phenomenon as the **adsorption** taught by the Ichinose reference.

It is axiomatic that "[f]or a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference." *In re Bond*, 910 F.2d 831, 832, 15 USPQ 1566, 1567 (Fed. Cir. 1990).

Thus, in the present invention as claimed the pigment component of the ink is **absorbed** into and remains *substantially within* the upper protective layer. This is distinguishable from Ichinose, et al. wherein the pigment component of the ink retained is **adsorbed** and *arranged in the vicinity of the surface* of the porous layer including polymer particles.

Since Ichinose et al. does not contain every element of the present invention as embodied in Claim 17, it is not anticipatory of Claim 17.

Claims 19, 21, 26, and 29, each depend directly from Claim 17, and contain each of the elements of Claim 17. Ichinose et al. therefore does not anticipate Claims 19, 21, 26, and 29.

Applicants respectfully request that the Examiner's anticipation rejection be withdrawn.

**Claim Rejections - 35 U.S.C. §103(a)**

**Ichinose ('909) in view of U.S. Patent No. 6,147,139 to Shaw-Klein et al.**

Claims 22 - 24 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ichinose ('909) et al. in view of Shaw-Klein et al. (U.S. 6,147,139). Applicants respectfully disagree.

The Examiner states that the difference between Ichinose et al. and the present claimed invention is the requirement in the claims of using an inert sheet during lamination. In light of Applicants' remarks regarding the 35 U.S.C. §102(e) rejection above, incorporated herein by reference, it is clear that this statement is not complete, in that there is an additional difference, i.e., the Ichinose reference does not teach that the printed image is substantially retained within the upper protective layer.

Accordingly, Applicants believe that this rejection has been overcome and should be withdrawn.

**Claim Rejections - 35 U.S.C. §103(a)**

**Ichinose ('909) in view of U.S. Patent No. 6,203,899 to Hirose et al.**

Claims 25 and 30 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ichinose et al. in view of Hirose et al. (U.S. 6,203,899). Applicants respectfully disagree.

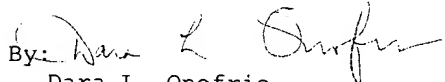
The Examiner states that the difference between Ichinose et al. and the present claimed invention is the requirement in the claims of a specific type of binder. In light of Applicants' remarks regarding the 35 U.S.C. §102(e) rejection above, incorporated herein by reference, it is clear that this statement is not complete, in that there is an additional difference, i.e., the Ichinose reference does not teach that the printed image is substantially retained within the upper protective layer.

Applicants believe that this rejection has been overcome and should be withdrawn.

Accordingly, Applicants believe all rejections have been overcome and submit that this application is now in condition for allowance. Reconsideration of this application and allowance of pending claims 17-30 are hereby requested. No new matter has been

introduced by this Amendment. If a telephone interview would be useful to advance this case, then the Examiner is invited to telephone the undersigned.

Respectfully submitted,  
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Attorneys for Applicants

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absorb

Main Entry: **ab·sorb**  

Pronunciation: &amp;b-'sorb, -'zorb

Function: *transitive verb*

Etymology: Middle French *absorber*, from Latin *absorbere*, from *ab-* + *sorbere* to suck up; akin to Lithuanian *surbti* to sip, Greek *rophein* to gulp down

1 : to take in and make part of an existent whole <the capacity of China to *absorb* invaders>

2 a : to suck up or take up <a sponge *absorbs* water>


<charcoal *absorbs* gas> <plant roots *absorb* water> b : to take in : **ACQUIRE**, **LEARN** <convictions *absorbed* in youth


-- M. R. Cohen> c : **USE UP**, **CONSUME** <the fever *absorbed* her strength>

3 : to engage or engross wholly <*absorbed* in thought>

4 a (1) : to receive without recoil or echo <provided with a sound-*absorbing* surface> (2) : **ENDURE**, **SUSTAIN**

<*absorbing* hardships> (3) : **ASSUME**, **BEAR** <the expenses were *absorbed* by the company> b : to transform (radiant energy) into a different form usually with a resulting rise in temperature <the earth *absorbs* the sun's rays>

- **ab·sorb·abil·i·ty**  /&b-'sor-b&-'bi-l&-tE, -'zor-/ *noun*

- **ab·sorb·able**  /&b-'sor-b&-b&l, -'zor-/ *adjective*

- **ab·sorb·er** *noun*

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 self-absorption

**Thesaurus**

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absorption

**Main Entry: ab·sorp·tion** ㄏ

**Pronunciation:** &b-'sorp-sh&n, -'zorp-

**Function:** *noun*

**Etymology:** French & Latin; French, from Latin *absorption-*, *absorptio*, from *absorbere*

**1 a :** the process of **absorbing** or of being **absorbed** -- compare **ADSORPTION** **b :** interception of radiant energy or sound waves

**2 :** entire occupation of the mind <*absorption* in his work>  
**- ab·sorp·tive** ㄏ /-tiv/ *adjective*

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Pronunciation: ad-'sorp-sh&amp;n, -'zorp-

Function: *noun*Etymology: *ad-* + *absorption*

: the adhesion in an extremely thin layer of molecules (as of gases, solutes, or liquids) to the surfaces of solid bodies or liquids with which they are in contact -- compare **ABSORPTION**

- **ad·sorp·tive** ◀ /-'sorp-tiv, -'zorp-/ *adjective*For **More Information on "adsorption"** go to [Britannica.com](#)Get the **Top 10 Search Results for "adsorption"**[Pronunciation Symbols](#)

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